



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,841	04/30/2001	Mark J. Stender	SPLT-P01-001	1028

28120 7590 03/21/2006

FISH & NEAVE IP GROUP
ROPES & GRAY LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2624

EXAMINER

KOPPIKAR, VIVEK D

ART UNIT PAPER NUMBER

3626

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/843,841	Applicant(s) STENDER, MARK J.	
	Examiner Vivek D. Koppikar	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/19/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of the Application

1. Claims 1-30 have been examined in this application. This communication is in response to the Amendment and Remarks filed on January 23, 2006. The Information Disclosure Statement (IDS) filed on December 19, 2005 has been acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-5, 8-13, 17-18 and 30 are rejected under 35 U.S.C. 102(a) as being unpatentable by over US Patent Number 6,615, 258 to Barry.

(A) As per claims 1-5, 8-13, 17-18 and 30, the rejection for these claims was set forth in the previous office action mailed to applicants on August 23, 2005 and therefore, the rejection of these claims is incorporated by reference in this instant office action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry, as applied to Claim 1 above, and in further view of US Patent Number 6,535,917 to Zamanzadeh.

(A) As per claims 6-7, the rejection for these claims was set forth in the previous office action mailed to applicants on August 23, 2005 and therefore, the rejection of these claims is incorporated by reference in this instant office action.

6. Claims 14, 16 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry, as applied to Claims 13 and 18 above, respectively, and in view of US Patent Number 5,262,940 to Sussman and in further view of US Patent Number 5,493,105 to Desai.

(A) As per claims 14, 16 and 19-20, the rejection for these claims was set forth in the previous office action mailed to applicants on August 23, 2005 and therefore, the rejection of these claims is incorporated by reference in this instant office action.

7. Claims 15 and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry, in view of Sussman and Desai, as applied to Claims 14 and 19, above, respectively, and in further view of US Patent Number 5,182,705 to Barr.

(A) As per claims 21-29, the rejection for these claims was set forth in the previous office action mailed to applicants on August 23, 2005 and therefore, the rejection of these claims is incorporated by reference in this instant office action

Response to Arguments

8. Applicant's arguments filed on January 23, 2006 have been fully considered but they are not persuasive. The arguments will be addressed in sequential order.

With regard to the applicants argument that the Barry reference fails to describe providing access to insurance applications, the examiner would like to point out that both Barry (Col. 1, Ln. 12-16) and the present invention (Specification: Page 2, Lines 10-11) are both

Art Unit: 3626

directed towards methods and system for providing data processing applications over the web or Internet which are easy to use or user-friendly. One having ordinary skill in the art of Internet-based insurance products (as set forth in the applicant's background of the specification) is presumed to be knowledgeable in both the areas of generic Internet technologies as well as Internet based insurance applications. Furthermore, the applicant's Background and Summary sections state that a major advantage of the present invention is that it provides data processing applications which are web based and user friendly. Barry's invention also addresses the need for providing web based data processing applications which are user friendly (easy to use) (Barry: Col. 2, Ln. 53-65 and Col. 3, Ln. 6-13). Based upon these statements from the applicants' Background and Summary and the above cited passages from Barry, the examiner takes the position that at the time of the invention, one of ordinary skill in the art reading Barry would have recognized the teachings of Barry to also be applicable to Internet/web based insurance applications especially in light of the fact that Barry discloses that its invention can be used for providing any enterprises' products and services (insurance) over the Internet to customers.

Next, the applicants argue that Barry fails to describe a means by which a user is prompted to select an application at the logon screen. However, the examiner would like to point out that Barry does disclose this exact feature (Barry: Col. 12, Ln. 52-62).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Number 4,831,526 to Luchs teaches a computerized insurance premium quote and request and policy issuance system.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquire concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. The fax telephone number for this group is (703) 872-9326 (for official communications including After Final communications labeled "Box AF").

10. Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the

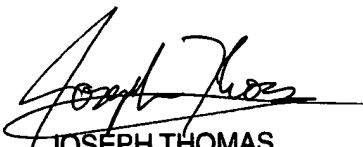
Art Unit: 3626

(PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,

Vivek Koppikar

2/23/2006



JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER